

Where Lawlessness Survives.

The Story of the Mountain Wolf-pack at Hillsville and the Judge who Braved Them.

By WILLIAM BROWN MELONEY.

A MOST within the shadow of the Capitol dome at Washington, a court of justice was annihilated on Thursday, March 14, 1912, by the hand of lawlessness. Judge, public prosecutor, sheriff, and a juror murdered, a second juror and a girl witness wounded unto death, the clerk of the court and two bystanders bullet-riddled—this in the commonwealth of Virginia, where law and order had their very beginnings in America.

A night's train ride from New York and one is in the country of this frightful crime. But as it bred and nurtured lawlessness, so it reared a man unafraid to lay down his life that the law might triumph. This man's faith was anchored in the supremacy of the law. His duty as an instrument of the law was an ideal enshrined in his heart.

A man can do no more than suffer death for an ideal; his faith can demand no greater sacrifice. It is the transcendent price, and Thornton Lemmon Massie paid it so terribly that civilisation gasped in horror.

If this crime had been committed at some outpost of the law, the raw conditions peculiar to new lands would readily suggest an explanation. But one does not expect to find chaos in the midst of civilisation. Still it exists, hidden though it has been. It is not only Virginia's problem, but West Virginia's, Tennessee's, Kentucky's, the Carolinas', Georgia's. The mountain fastnesses of any of these States contain the elements which might produce a similar tragedy.

The same ships that more than 200 years ago brought the forebears of Thornton Massie across seas to this land brought those from whom sprang his assassins, the Allens, and most of the mountain clans like them. Wealthier and better educated aliens pre-empted the richer lands, between the sea and

tempestuous spirit of the hill people kept ever alive.

They hated slavery because it was an institution of those they hated. This was the big motive that sent so many of them into the ranks of the Federal army in the Civil War. Their bitterest enemy ever since has been the Union for which they fought. As a source of war revenue, a tax that has never been lifted was put upon whisky. The mountaineers will not pay this tax. They argue that if it isn't a crime to make meal out of their corn, it is not a crime to make whisky out of the meal. So much blood has been spent in a bushwhacking warfare between revenue officers and moonshiners that the hills sigh with the burden of it.

"No good can come out of Carroll County," has been a phrase in southwestern Virginia for more than a generation. Nearly a hundred years ago William Allen, an ox of a man, who fought with his hairy fists and cowhide boots, started a wolf breed which was long to rule Carroll in terror. He settled in Fancy Gap, through which the north tumbles over the Blue Ridge into North Carolina. Given his own way, peaceable; crossed, a demon. His son, Jerry, father of the present generation, was like him. He, too, fought only with hands and feet. There are those in Carroll County who hand on, with pride, the legend that William and Jerry never used pistols. An easy answer is that pistols were not then to be had for a song.

Six-footers as a rule, big-boned, tightly flanked, dynamic, most of them fair, and blue or grey of eye, are the Allens. Jerry had five sons—Victor, born 60 years ago; Floyd, three years later; then Jasper, called Jack; Sidna, craftiest of the lot; and Garland—and a daughter, Alveta. Keener mentally than their neighbours, and knowing no law but their will, they

dress Jack's wounds, and Floyd, beckoning his wife to his side, whispered: "Get my old rusty," meaning his pistol. "I'm going 't' kill that lying fraud of a doctor. My time ain't yet!" And though they believed Floyd to be at death's door, his people made the physician leave.

Revenue officers barked at, but did not bite, the Allens. One, with a warrant, once went to search Floyd Allen's barn. When he finished reading the warrant, Floyd dawdled: "That thar paper says you've a right to go in, but it don't say nothin' 'bout you comin' out agin, stranger."

There was a second's measuring of glances, and the officer rode away.

Victor, Floyd's eldest son, driving out a load of moonshine whisky, met a revenue officer.

"What you loaded with thar?" asked the officer.

"Manhood and moonshine," retorted Victor. There was an instant of silence, and the officer went on his way.

Twelve years ago, when Floyd Allen was a deputy sheriff, Mack Howlett, a farmer, killed one of the pack in self-defence. Wilbur Morris, a cousin of the Allens, was jailed. They took Howlett

fill many subordinate county offices—deputy sheriff, tax-collector, deputy treasurer, constable.

Seven years ago, with Democratic support, they endeavoured to elect Walter Allen, a son of Jack, commonwealth's attorney. The pro-union they were later to assassinate defeated him. Walter's sudden death not long afterward, while in swimming, poisoned the sting of defeat. The clan had worshipped him. He was an Allen, yet not of them, for he was educated; he had taught school, graduated from Washington and Lee University, and been admitted to the Bar. In the aftermath of the bitter campaign, Floyd Allen claimed it had been reported to him that Foster, the prosecutor, had said that the whole Allen brood ought to be killed. Foster denied it.

"I can't prove it," said Floyd, "but if I could, I'd blow your brains out where you stand."

Politics with the Allens meant business as well as power. Jack Allen's principal duty as constable was oppressing to those who were debtors to his brothers. Sidna Allen purchased store supplies in distant cities, intending to de-



THE COURT-HOUSE AT HILLSVILLE, VIRGINIA.

Where a court of justice was annihilated by a band of lawless mountaineers.

from his cell, where he was awaiting trial, and shot out his life in the Hillsville jailyard.

"An act of parties unknown," was a coroner's jury's verdict.

The Allens' Vengeance.

A North Carolina policeman arrested Floyd for fighting in the streets of Mount Airy. Floyd was fined 25 dollars. Shortly afterward, Floyd caught the officer in Fancy Gap, beat him in the face, stretched him on the seat of his own buggy, and started the horse at a gallop down the mountain. A month afterward the policeman shot at Allen. His pistol, slung across his breast, stopped the bullet. As Allen drew, the cylinder of the shattered weapon fell out, whereupon Allen turned and fled.

Four years later a Dunkard preacher named Easter dared testify against an Allen follower in an illicit whisky case. Within a week a call in the night brought him from his bed to the door. A voice outside told the preacher that a deputy sheriff was seeking fodder and water for his horse. As Easter opened the door, a volley of pistol shots shrieked through the mountain stillness. Thirty bullets sped through his body. There was a thunder of hoofs as the assassins fled through the thicket.

"An Allen never goes to jail." This was the creed of the pack. Terror helped them sustain it. So did politics. A jury once fined Floyd Allen 100 dollars and sentenced him to an hour's imprisonment for assault. He gave bail and appealed. Pending the appeal, he went to Richmond with his lawyers, and on the representation that the jury had added the jail sentence under a misapprehension that it was mandatory, the governor pardoned him the hour.

Carroll County, persistently anomalous, is a Republican stronghold. About a thousand Democrats go down to defeat at every election. The Allens and their followers form a third party, although calling themselves Republicans. As the prospect of the most influence and favour dictated, they voted the Republican ticket or threw their strength to the Democrats. Thus they came to

fraud. He limited the purchase price in each instance so that the jurisdiction of the debt remained in a peace justice's court. It was easier to elect a justice of the peace than trust himself to a jury in the higher courts. Merchants who sued him were invariably beaten.

Last New Year Sidna had a business rating of 30,000 dollars. He had been a postmaster. The post-office of Sidna, Virginia, is named after him. Three years ago he added counterfeiting to his other activities. When the Government caught him, he persuaded his accomplice, his hired man, Dinkins, to swear him free, promising to pay Dinkins's family a dollar a day all the time he was in prison—a long term. He paid the dollar for only two months. In revenge for this treachery, Dinkins confessed, Allen was convicted of perjury and sentenced to two years at hard labour. He gave bail and appealed. Almost in the moment of his slaying one judge, another was granting him a new trial.

Sidna joined the Klondyke rush. He returned to the hills with an ambition to own the finest house there. He built it. It burned mysteriously, and brought him 9,000 dollars insurance. He rebuilt, this time a sort of bungalow, with most of the modern conveniences—though this "mans-ion" of romance, so impressive in the hill country, could be reproduced in any town for less than 5,000 dollars.

Last spring Sidna and Wesley Edwards, sons of Alveta Allen, broke up a Fancy Gap revival meeting which their Uncle Garland was leading. They "loved that Garland" was too mean to preach." Tom Samuels, a deputy sheriff, who had boasted when he was appointed that no Allen could "trim" him, was at the meeting. His boast was challenged. With the Edwards' cuts bandaged and roped, he started in his buggy toward Hillsville, the county-seat.

Half way there, and at a point near Sidna Allen's home, the six feet of Floyd, eyes ablaze and snarling like an old grey timber wolf, confronted him. Floyd dragged him from the buggy, and the deputy drew a pistol. Allen smashed him on the head with the weapon and freed the prisoners. When Samuels



A TYPICAL VIRGINIA MOUNTAIN HOME.

These hill people, isolated from civilization, hate all who are not of their kind.

the mountains; only the hills were free to these people. So they wrested the highlands from the Indian and the wild beast, and defied the code of the strong. They hated those who had taken the rich lowlands on each side of them, and this hatred bred a suspicion of all men not of their kind. They cut themselves off from all intercourse with the world.

Then, through the years, men with a price in their heads took to mountaineers. Harbour was given them, not because they as individuals asked it, but because they had struck at the social system of those whom the mountaineers hated. Thus was hot blood made hotter and the

naturally prospered in horse-swapping, note-shaving, store-keeping, moonshining, and farming all except Garland, who chose to be a Primitive Baptist preacher.

Floyd early took the lead of the pack. Victor, the first-born, did not challenge him. Jack did. They disagreed over a land deal. Jack shot Floyd through the lungs. Floyd shot Jack in the middle of the forehead. The bullet passed around the head between the scalp and the skull. His last shot gone, Floyd fell upon Jack and beat him with his pistol butt until strength failed him. A physician, summoned from a Carolina village, said Floyd was dying. He left him to